

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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IN RE: BAIR HUGGER FORCED AIR  
WARMING PRODUCT LIABILITY  
LITIGATION

MDL No.: 15-md-02666 (JNE/FLN)

This Document Relates To:

DAVID HARKLEROAD, Individually and  
on Behalf of the Estate of SANDRA K.  
HARKLEROAD,

Civil Action No.: 16-CV-01986-JNE-FLN

Plaintiff,

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**DECLARATION OF DONALD C. GREEN II IN SUPPORT OF  
PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS**

I, Donald C. Green II, declare as follows:

1. Mr. David Harkleroad contacted Kennedy Hodges, LLP in June of 2015 regarding injuries sustained by his widow, Mrs. Sandra Harkleroad, that were allegedly caused by the Bair Hugger patient warming device.
2. The intake form completed by Mr. Harkleroad indicated that Mrs. Sandra Harkleroad had passed away on February 16, 2013.
3. Medical records and billing records pertaining to Mrs. Sandra Harkleroad's treatment were obtained by Kennedy Hodges through its third party medical records retrieval company. Those records demonstrate use of a Bair Hugger device.
4. This case was filed on June 16, 2016 to comply with the statute of limitations deadline.
5. Many attempts were made to contact Mr. Harkleroad by phone in the weeks immediately after his case was filed, to inform him of the requirements of the Plaintiff Fact Sheet.

6. Additionally, a letter requesting that Mr. Harkleroad contact Kennedy Hodges to provide information for the Plaintiff Fact Sheet was sent about one month after the case was filed, after attempts to contact him by phone were unsuccessful.
7. Mrs. Peggi Harkleroad has indicated that Mr. Harkleroad and Mrs. Sandra Harkleroad did not have any children together.
8. Efforts to follow up with Peggi Harkleroad, the only known remaining contact, have not resulted in additional information or documentation being obtained, nor have they assisted in identifying other individuals who may have such information or documentation.
9. As we have been unable to obtain the information necessary to complete the Plaintiff Fact Sheet for this claim and are also unable to locate any individual able to verify the limited information we do possess, no Plaintiff Fact Sheet has been submitted for this case to date.

Pursuant to 28 U.S.C. § 1746(2), I declare under penalty of perjury that the foregoing is true and correct.

July 13, 2017

/s/ Donald C. Green II  
Donald C. Green II